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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/927,906	08/09/2001	Chakki Kavoori	9824-136-999	5185
38881	7590	03/11/2005	EXAMINER	
DARBY & DARBY P.C. P.O. BOX 5257 NEW YORK, NY 10150-5257			ALI, SYED J	
			ART UNIT	PAPER NUMBER
			2127	

DATE MAILED: 03/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/927,906	Applicant(s) KAVOORI ET AL.	
	Examiner Syed J Ali	Art Unit 2127	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-8 and 10-27 are pending in this application.

Specification

2. The cross reference related to the application cited in the specification must be updated (i.e. update the relevant status, with PTO serial numbers or patent numbers where appropriate, on page 1, lines 4-16). The entire specification should be so revised.

Claim Objections

3. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 10-27 have been renumbered claims 9-26.

4. **Claim 1 is objected to because of the following informalities:**
 - a. In line 2 of claim 1, "OPERATING" should read "operating".Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. **Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

7. Claim 14 is a dependent claim, but is presented as depending from itself. It is herein interpreted as being intended to depend from claim 1.

Claim Rejections - 35 USC § 101

8. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

9. **Claim 25 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.**

10. As per claim 25, the claimed system is non-statutory as it is not tangibly embodied, in that it fails to include any hardware as part of the system. The system could be implemented entirely in software.

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

12. **Claims 18-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Kodosky et al. (USPN 6,608,638) (hereinafter Kodosky).**

13. As per claim 18, Kodosky teaches the invention as claimed, including in an electronic device having a processor, a computer readable memory, and at least one hardware resource all coupled to each other, a method of generating a scheduler for managing the hardware resource, the method comprising the steps of:

- a) receiving at the electronic device, a quantity of hardware resources available in the electronic device (col. 30 line 66 - col. 31 line 25);
- b) receiving operating information for the hardware resource (col. 31 lines 26-35);
- and
- c) generating a list in memory for linking requests for using the hardware resource (col. 31 lines 36-42).

14. As per claim 19, Kodosky teaches the invention as claimed, including the electronic device recited in claim 18 wherein the method further comprises the steps of:

- d) receiving a request from a requester for using the hardware resource in the electronic device (col. 31 lines 6-11); and

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- e) associating operating information for the given hardware resource with the requester in an entry of the list (col. 31 lines 41-42).

15. As per claim 20, Kodosky teaches the invention as claimed, including the electronic device recited in claim 18 wherein the hardware resources managed by the list have the same function (col. 31 lines 6-11).

16. As per claim 21, Kodosky teaches the invention as claimed, including the electronic device recited in claim 18 further comprising the step of:

- d) generating a memory address that links the operation information of the hardware resources to another hardware resource (col. 31 lines 36-42).

17. As per claim 22, Kodosky teaches the invention as claimed, including the electronic device recited in claim 19 further comprising the step of:

- f) generating a memory address that links a last hardware resource to a first hardware resource (col. 23 lines 44-55).

18. As per claim 23, Kodosky teaches the invention as claimed, including the electronic device recited in claim 19 further comprising the step of:

- f) generating a memory address that link the hardware resources for each of multiple reuses within the given time span (col. 43 line 65 - col. 44 line 24; col. 44 lines 50-54).

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19. As per claim 24, Kodosky teaches the invention as claimed, including the electronic device recited in claim 19 further comprising the step of:

f) generating a second list that provides a pointer to operation information of hardware resources that have a common category (col. 23 lines 6-14).

20. As per claim 25, Kodosky teaches the invention as claimed, including a system for communicating information between a host communication device and an external communication device, the system comprising:

receiving a request for using a hardware resource in the host communication device for communicating to the external communication device (col. 30 line 66 - col. 31 line 25);

modifying a scheduler for the hardware resources in computer memory of the host communication device to satisfy the request (col. 31 lines 26-35); and

operating the hardware resources in the host communication device according to the modified scheduler (col. 31 lines 36-42).

Claim Rejections - 35 USC § 103

21. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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22. **Claims 1-17 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Prestifilippo et al. (USPN 5,446,889) (hereinafter Prestifilippo) in view of Kodosky.**

23. As per claim 1, Prestifilippo teaches the invention as claimed, including in an electronic device having a processor, a computer readable memory, and at least one hardware resource coupled to each other, a method of operating resources, the method comprising the steps of:

- a) locating a first address in the computer readable memory, the first address containing operating information associated with a first resource (col. 3 lines 9-10);
- c) reading a pointer associated with the first address that locates a subsequent address for a subsequent resource (col. 3 lines 11-13); and
- d) repeating steps a) through c) for a quantity of pointers respectively associated with multiple resources (col. 3 lines 18-20).

24. Kodosky teaches the invention as claimed, wherein the operating information is associated with hardware resources (col. 31 lines 36-42); and

- b) transmitting operating information associated with the addresses to the hardware resources (col. 10 line 60 - col. 11 line 20).

25. It would have been obvious to one of ordinary skill in the art to combine Prestifilippo and Kodosky as Kodosky discusses the organizational structure of a linked list for storing operating information associated with hardware resources at length without discussion of a technique for traversing the list. Such traversal methods are largely well known in the art, but Prestifilippo teaches a method that is especially well suited for combination with Kodosky. Prestifilippo notes that linked lists can be used to store practically any kind of data, and the method of

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traversing linked lists disclosed by Prestifilippo is especially beneficial in the case of system crashes or hardware failures. In that sense, a well known organizational principle is applied to a programmable hardware system, such that the programmer can control the hardware implementation without fear of corruption of the underlying data structures.

26. As per claim 2, Prestifilippo teaches the invention as claimed, including the electronic device recited in claim 1 wherein the method further comprises the step of:

- e) returning to the first pointer when all of the quantity of pointers has been exhausted in a list stored in memory (col. 9 lines 8-9).

27. As per claim 3, Kodosky teaches the invention as claimed, including the electronic device recited in claim 1 wherein the method further comprises the step of:

- e) repeating steps a) through c) for each of multiple sets of operating information associated with multiple uses of the hardware resource (col. 43 line 65 - col. 44 line 24; col. 44 lines 50-54).

28. As per claim 4, Kodosky teaches the invention as claimed, including the electronic device recited in claim 3 wherein the multiple sets of operating information are utilized within a system cycle (col. 29 line 62 - col. 30 line 5).

29. As per claim 5, Kodosky teaches the invention as claimed, including the electronic device recited in claim 1 wherein the method further comprises the step of:

e) repeating steps a) through d) for a plurality of entries of operating information for the hardware resource, wherein each of the entries is respectively associated with a reuse of the hardware resource for a different application at a different point in time (col. 44 lines 46-58).

30. As per claim 6, Kodosky teaches the invention as claimed, including the electronic device recited in claim 1 wherein the information for operating the first hardware resource includes semi-static hardware control parameters (col. 12 lines 33-49; col. 23 lines 25-34).

31. As per claim 7, Kodosky teaches the invention as claimed, including the electronic device recited in claim 6 wherein the semi-static hardware control parameters include flags, parameters, or states for the first hardware resource (col. 23 lines 25-34).

32. As per claim 8, Kodosky teaches the invention as claimed, including the electronic device recited in claim 1 wherein the information for operating the first hardware resource includes dynamic hardware control parameters (col. 12 lines 33-49; col. 23 lines 25-34).

33. As per claim 9, Kodosky teaches the invention as claimed, including the electronic device recited in claim 8 wherein the dynamic hardware parameters are controlled by dedicated hardware resources (col. 16 line 66 - col. 17 line 11).

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34. As per claims 10-13, Kodosky does not specifically teach the invention as claimed, wherein the hardware resources include at least one tracking finger, at least one searcher element, at least one downlink transmitter element, and at least one matched filter element. However, Kodosky discusses a system that is particularly suited for controlling automation hardware, but is not limited to such (col. 12 lines 33-49). The method is applicable to a wide variety of implementations, and provides hardware resources associated with a plethora of devices or applications.

35. As per claim 14, Kodosky teaches the invention as claimed, including the electronic device recited in claim 1 wherein the method further comprises the step of:

- e) executing a pointer from a primary list of pointers that transfers control to a secondary list with operating information associated with the hardware resource (col. 23 lines 6-14; col. 23 lines 39-43).

36. As per claim 15, Kodosky teaches the invention as claimed, including the electronic device recited in claim 1 wherein only the hardware resources in the secondary list that are grouped together for a specific category are enabled via the pointer from the primary list (col. 23 lines 36-56; Fig. 11).

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37. As per claim 16, Kodosky teaches the invention as claimed, including the electronic device recited in claim 15 wherein the secondary list has a pointer at the end of the operating information grouped together for the specific purpose, the pointer for the secondary list returning control to the primary list (col. 23 lines 44-46).

38. As per claim 17, Kodosky teaches the invention as claimed, including the electronic device recited in claim 15 wherein the primary list has a plurality of pointers that point to at least one other list that tracks an identification of a user of hardware resources (col. 43 line 65 - col. 44 line 24; col. 44 lines 50-54).

39. As per claim 26, Prestifilippo teaches the invention as claimed, including in an electronic device having a processor, a means for performing the method of claim 1 (Fig. 4).

Conclusion

40. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed J Ali whose telephone number is (571) 272-3769. The examiner can normally be reached on Mon-Fri 8-5:30, 2nd Friday off.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai T An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Syed Ali
March 4, 2005



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